

### **REMARKS**

Claims 1, 2, 4 and 6 are pending. By this response, claims 1, 4 and 6 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Applicant appreciates the Examiner's phone call on May 3, 2007 expressing his concern with the claims and stating that he believes that recovery performed by steps ST16 through ST18 of Fig. 3 and ST37 through ST39 of Fig. 4 provide the novel features of the invention. Applicant notes that the independent claims have been amended with this in mind.

#### **Drawing Objection**

The Office Action objects to the drawings alleging that they do not show the step of measuring the ambient temperature and adjusting initial data values based on the ambient temperature measured. Applicant respectfully disagrees.

Applicant respectfully submits that Fig. 4 element ST33 illustrates the above claimed features. As stated at step ST33, the ambient temperature is checked (measured) and data read based on this temperature reading. As discussed on page 14 of the specification, the initial value of the moving speed of lens 4a is set to the data corresponding to the measured ambient temperature. Therefore, applicant respectfully submits that the drawings do illustrate each and every feature of the claims which is further supported by the specification.

Accordingly, withdrawal of the objection is respectfully requested.

#### **Claim Objections**

The Office Action objects the claims 4 and 6 alleging that the specification does not disclose measuring the ambient temperature "in proximity of the disk." Applicant has amended

the claims to address this objection. Specifically, the claims no longer recite “in proximity of the disk.” Accordingly, withdrawal of the objection is respectfully requested.

#### §112, First and Second Paragraphs

Claims 4 and 6 are rejected under 35 U.S.C. §112, first paragraph and second paragraph. The Office Action alleges that the specification is not enabled as it does not teach or suggest measuring the ambient temperature “in proximity of the disk” and that the claims are indefinite for the same reason.

Applicants respectfully submit that the amendments to the claims as noted above, address the rejections under 35 U.S.C. §112, first and second paragraphs. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

#### Prior Art Rejection

The Office Action rejects claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over Motoyama (US 4,426,690) in view of Suzuki, et al. (US 4,897,683). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, logic operation means...determines under respective adjustment conditions, whether or not the focus pull in operation is successfully performed and that in a case when it determines that the focus pull-in operation is not successfully performed, changes position of data read from the data table so as to read correction values, newly sets the respective correction values which are stored in the data table in the memory means to the servo control means, sets the correction value of the rotational speed of the optical disk and moving speed of the lens and repeats the focus pull-in operation until it determines that the focus pull-in operation is successfully performed. Applicant respectfully submits that Motoyama and Suzuki fail to teach the above feature.

Motoyama teaches a standard optical reproducing device. In Motoyama, a rotating recording device is focused by a lens in which data is received from the recording medium using focused light from the lens. The lens speed is controlled so as to be constant when moving the lens from a rest position to the position for capturing data from the recording medium. See column 2, and column 3 lines 35-67.

Motoyama, however, does not teach or suggest performing an operation if the focusing of a lens is unsuccessful in which the correction values are read from a memory and the correction values are used to control the rotational speed of an optical disk and moving speed of the lens and the repeating of the pull-in operation until it has been successfully performed.

Further, Suzuki fails to remedy the deficiencies of Motoyama. Suzuki teaches a camera system in which the lens of the camera can be focused at different speeds. The signal used to drive the focusing lens is obtained in relation to changes in the ambient temperature. See columns 5-6.

Suzuki's system is not related to an optical disk device and at best can only teach lens movement operations. Thus, Suzuki fails to teach providing a data table with correction values for the rotational speed of the optical disk and also the moving speed of the lens.

Thus, the combination of Motoyama and Suzuki fail to teach the above claimed features of independent claim 1 as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Regarding claims 4 and 6, these claims are patentable over the prior art for the above reasons and for the specific features recited within these claims.

Conclusion

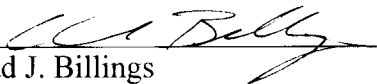
For at least the reasons above, it is respectfully submitted that claims 1, 2, 4 and 6 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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